IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 103 (SS) OF 2006

Furkan Ahmad,
S/o Sri Nasiruddin
Survey Lekhpal, Survey Naib Tahsildar Office,
Ram Nagar, Tehsil Ramnagar,
District – Nainital. .....Petitioner.

Versus

1. State of Uttaranchal,
   through Collector, Nainital.
2. Record Officer/District Magistrate,
   Nainital.
3. Officer Incharge, Land Revenue,
   Nainital. .....Respondents.

Sri Vijay Bhatt, Advocate for the petitioner.
Learned Standing Counsel for the State.

Dated: 21.02.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ of Certiorari quashing the impugned suspension order dated 16.12.2005 and the departmental enquiry initiated against the petitioner passed by the respondent no.2 contained in the order dated 29.12.2005 which is Annexure No. 5 to the writ petition.

2. On 13th February, 2006, a direction was made for filing a counter affidavit, but till date no counter affidavit has been filed.

3. However, at present the petitioner is not pressing the relief with regard to the writ of certiorari. However, he has submitted that let the enquiry be completed within a stipulated

time. Suspension of the petitioner has been passed on the ground that the petitioner was involved in a matter of the proceedings under Section 54 of the Land Revenue Act.

5. Without entering into the merits of the controversy, it is directed that the enquiry shall be completed within a period of four months and till the enquiry is completed the suspension order passed against the petitioner on 16th December, 2005, which has been conveyed to the petitioner on 29th December, 2005 (Annexure 5 to the writ petition) shall remain in abeyance.

6. The writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

21.02.2006
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